



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/505,646	02/16/2000	Scott C. Harris	10824/011001	7376

23844 7590 06/06/2003

SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192

EXAMINER

NGUYEN, CAO H

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 06/06/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

27

Office Action Summary

Application No.
09/505,646

Applicant(s)
Harris

Examiner
Cao (Kevin) Nguyen

Art Unit
2173



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 9, 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 83-107 and 116-125 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 83-107 and 116-125 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Feb 16, 2000 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

Art Unit: 2173

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 83-107 and 116-125 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iggulden et al. (US Patent No. 5,957,697) in view of Sachs et al. (US Patent No. 5,956,034).

Regarding claim 83, Iggulden discloses comprising in a server of a network, storing a plurality of images representing pages of a book (see col. 2, lines 6-57), said images stored with a resolution effective to enable said book to be read (the image sound and text...see figure 2); however, Iggulden fails to explicitly teach responsive to a request over the network, sending one of said images to a remote node.

Sachs teaches sending one of said images to a remote node (see col. 3, lines 20-67). It would have been obvious to one of an ordinary skill in the art at the time the invention was made to provide sending one of said images to a remote node as taught by Sachs to the images representing pages of a book by Iggulden in order to enhance a user friendly and enable users to access into on-line books publishing sample and exemplary.

Art Unit: 2173

Regarding claim 84, Sachs discloses wherein said network is the Internet (portable display unit is used to communication with the host.. See col. 5, lines 1-11 and figures 1-2)

Regarding claim 85, Sachs discloses wherein further comprising determining if the request for pages exceeds a certain threshold, and sending said information only if said threshold is not exceeded (see col. 10, lines 14-67).

Regarding claim 86, Iggulden discloses wherein said images are classified according to whether they count towards said threshold, and incrementing a counter when an image that counts towards said threshold is requested (see col. 4, lines 13-45).

Regarding claim 87, Iggulden discloses wherein said determining comprises storing information indicative of an amount of reading into a computer file (see col. 3, lines 40-57).

As claims 88-90 are analyzed as previously discussed with respected to claims 83-87 above.

Claim 91 differs from claim 83 in that "receiving, at a client of a network, information about which of a specified plurality of images to be displayed, each of specified plurality of images showing textual information and at least a plurality of said images showing non-textual information, said textual information representative of contents of an entertainment media; and displaying said images responsive to said requests" which read on Sachs (see col. 7, lines 3-65).

Art Unit: 2173

Regarding claims 92-95, Iggulden discloses method as wherein said specified images include a front, a back cover, a spine, and liner notes; and wherein said images do not include an image of a top edge of the book and an image of a bottom edge of the book (see figures 1-3).

Regarding claims 96-99, Iggulden discloses wherein each of said images use a graded resolution, which provides readable resolution for readable parts and a different resolution for non-readable parts; and wherein said readable parts are in a text format and said different parts are in an image format (see col. 4, lines 1-46 and figures 1-3).

As claims 100-107 are analyzed as previously discussed with respect to claims 83-87, 91, and 96-99 above.

Claims 116, 120 and 121 differ from claims 83 and 91 in that "requesting information indicative of at least a page of a book over the network; and returning images of pages of the book based on said limiting and said requesting" which read on Sachs (see col. 7-8, lines 1-67 and figures 4A-4G).

Regarding claim 117 and 118, Sachs discloses wherein said increasing provides an image having sufficient image quality to allow reading textual information from the images of the pages (see col. 5, lines 12-63 and col. 6, lines 1-54).

Art Unit: 2173

As claims 119 and 122-125 are analyzed as previously discussed with respected to claims 96-99 and 117-118 above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Response

4. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7239 may be used for formal communications or (703) 746-7240 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Art Unit: 2173

Inquires

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.


CAO (KEVIN) NGUYEN
PRIMARY EXAMINER

June 1, 2003

